

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**BLACK WARRIOR RIVER-)
KEEPER, INC.,)
Plaintiff,) Civil Action Number
v.) **2:16-CV-01443-ACK**
**DRUMMOND COMPANY, INC.,)
Defendant.**)**

ORDER

This matter came before the court for a discovery conference related to Black Warrior River-Keeper's request to compel Drummond to supplement its discovery responses to reflect ongoing remedial work at the Site. *See* doc. 117.¹ As discussed at the conference, BWR will have sufficient opportunity to inspect, analyze, and, if necessary, challenge Drummond's work, including through depositions, at the appropriate juncture. And, subject to reason, BWR will have the opportunity to undertake whatever it finds necessary to evaluate Drummond's work. For now, however, BWR's request is premature and is therefore **DENIED**.

¹ BWR and Drummond disagree as to whether BWR's request amounts to the supplementation of discovery responses or the reopening of the discovery period. The court has ignored the parties' briefs on the issue, *see* docs. 118–19, because the briefs contravene the court's discovery dispute resolution procedure, *see* doc. 16 at 17–19, and the court relies instead on the representations of counsel at the discovery conference.

DONE the 11th day of January, 2022.

Abdul K. Kallon
ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE